

REMARKS

The Applicants thank the Examiner for the Final Office Action dated September 28, 2005. This Amendment and Reply is intended to be completely responsive to the Office Action.

Status of the Claims

Claims 1-4 and 7-9 stand rejected. Claims 2-4, 11, 12, 25, and 26 have been previously withdrawn from consideration. Claims 13, 14, 22-29, and 31 have been allowed. Accordingly, Claims 1-4, 7-14, 22-29, and 31 are now pending in the present Application. The Applicants respectfully request reconsideration of the present Application in view of the reasons that follow.

Claim Rejections – Double Patenting

On pages 2-3 of the Office Action, the Examiner rejected Claim 1-4 and 7-9 under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,648,071 assigned to Schlumberger Technology Corporation. The Applicants filed a Terminal Disclaimer on July 11, 2005, disclaiming the terminal portion of U.S. Patent No. 6,648,071. However, the Examiner indicated that the Terminal Disclaimer filed on July 11, 2005 was not accepted because “[t]he person who signed the terminal disclaimer is not recognized as an officer of the assignee, and he/she has not been established as being authorized to act on behalf of the assignee.”

The Applicants have thus submitted a new Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c), signed by an officer of the assignee authorized to act on behalf of the assignee, along with this Amendment and Reply. The presently submitted Terminal Disclaimer is intended to replace the Terminal Disclaimer filed on July 11, 2005. Accordingly, the Applicants request that the rejection of Claims 1-4 and 7-9 be withdrawn.

Allowable Subject Matter

On page 3 of the Office Action, the Examiner indicated that Claims 13, 14, 22-19, and 31 are allowed. The Applicants thank the Examiner for the notification of allowability of these claims.

Elections/Restrictions

On page 2 of the Office Action, the Examiner noted that Claim 2-4, 11, 12, 25, and 26 contained allowable subject matter and would be rejoined with the elected species upon the Applicants overcoming the double patenting rejection. Applicants submit that the double patenting rejection has been overcome with this Amendment and Reply, and submit that Claims 2-4, 11, 12, 25, and 26 are now in proper condition for allowance.

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The Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date November 28, 2005

By 

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